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**From:** Keith Allred  
**Sent:** Monday, April 25, 2011 10:58 AM  
**To:** 'Services'  
**Subject:** RE: BRUXZIR - Authentic DL.doc

Whitney, thank you for your prompt response. We certainly do appreciate your understanding in this matter. --Keith

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**From:** Services [mailto:services@authenticlab.com]  
**Sent:** Monday, April 25, 2011 10:21 AM  
**To:** Keith Allred  
**Subject:** RE: BRUXZIR - Authentic DL.doc

We have taken the information off the website.  
Thank you for bringing this to our attention.  
Whitney

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**From:** Keith Allred [mailto:kallred@glidewell dental.com]  
**Sent:** Monday, April 18, 2011 6:51 PM  
**To:** services@authenticlab.com  
**Cc:** Robin Bartolo  
**Subject:** BRUXZIR - Authentic DL.doc

**NOTICE OF TRADEMARK INFRINGEMENT**



April 18, 2011

TRANSMITTED VIA EMAIL, FAX  
AND DELIVERED BY U.S. MAIL

Authentic Dental Lab  
1950 Bandera Rd.  
San Antonio, Texas 78228

LOCAL PHONE: (210) 735-1433  
PHONE: (800) 683-1025  
FAX: (210) 735-2127  
EMAIL: [services@authenticlab.com](mailto:services@authenticlab.com)

Attn: President

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EXHIBIT	144
WIT:	Allred
DATE:	10-25-12
L. Moskowitz, CSR 10816, RPR	

**Re: Infringement of Glidewell Laboratories' BruxZir® Trademarks, Misbranding,  
Violation of Federal Acts and State Statutes and Unfair Business Practices**

The serious matter of your infringement of my client's proprietary property rights in connection with the unauthorized use Glidewell Laboratories' registered trademarks on your work order has come to our attention.

Glidewell Laboratories has for years used the mark BRUXZIR both nationally and internationally to identify its dental laboratory goods and services in the US and its CE certified BruxZir® zirconia milling blanks in Europe. The company enjoys considerable good will associated with its use of the aforesaid mark.

The promotion of dental laboratory services by your lab of Brux crowns is using a similar mark where there is an appreciable likelihood of confusion and a palming off goods by an unauthorized substitution of one brand for the brand ordered, which in this instance is a deliberate misappropriation of intellectual capital for commercial purposes that is actionable unfair competition under California law (California Business and Professions Code §17200)

Under federal law, Trademark infringement is presumptively an unfair exploitation of the monopoly privilege that belongs to the owner of the mark. Infringement is a 'tarnishment' of the owner's mark and results in "brand confusion" and the likelihood of 'initial interest' confusion as to the actual identity of the source of the goods and services.

For the above reasons, we must insist that you immediately cease use of the infringing marks in your promotions and elsewhere. Should you not terminate use of the mark, Glidewell Laboratories reserves its rights to take legal action to stop you from using the mark by seeking an injunction, monetary relief, and attorney fees.

Please contact me, or have your attorney contact me, within ten days of receipt of this communication if you are unsure about the appropriate steps that you must take to avoid liability for your refusal to discontinue your use of the infringing marks. Additionally, if you wish to be on the list of BruxZir® authorized dental laboratories, call Glidewell Direct.

Your prompt attention is appreciated.

Sincerely,  
KEITH D. ALLRED  
Attorney for Glidewell Laboratories  
4141 MacArthur Blvd.  
Newport Beach, CA 92660  
Tel 949-440-2683  
Fax 949-440-2787  
Email [kallred@glidewelldental.com](mailto:kallred@glidewelldental.com)

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delivering it to the intended recipient, you are hereby notified that reading it is strictly prohibited. If you have received this e-mail in error, please immediately return it to the sender and delete it from your system. Thank you.

-- ATTACHMENT "A" --

[Copied from Assured DL website: <http://www.rdentdentallaboratory.com/admin/files/111/pdf/RBBrux.pdf>]

Brux crowns are available with either Lava or Authentic Zirconia.  
This monolithic crown is great for replacing full cast crowns or  
metal occlusion in posterior bridges or single units. With a  
(Lifetime Warranty) you can't go wrong.

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